

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

ROBERT “BOB” ROSS AND EUGENIO VARGAS

Plaintiffs/Counterclaim Defendants,

V.

**ASSOCIATION OF PROFESSIONAL
FLIGHT ATTENDANTS, *et al.*,**

Defendants/Counterclaim Plaintiffs.

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**Civil Action No. 4:22-cv-343-Y**

**Consolidated with  
Civil Action No. 4:22-cv-430-Y**

**Judge Terry R. Means**

**PLAINTIFFS' RESPONSE AND OBJECTIONS TO DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

Plaintiffs, Robert “Bob” Ross (“Ross”) and Eugenio Vargas (“Vargas”) hereby respond in opposition to Plaintiff’s Fed. R. Civ. P., Rule 56(a) summary judgment motion. In support thereof Plaintiffs would respectfully show as follows:

As required by this Court's summary judgment procedures, and in accordance with Local Rules 56.4 and 56.5, each of the required matters set forth in Local Rule 56.4(a), including argument and authorities, are set forth in Plaintiffs' concomitantly filed Brief in Support of Plaintiffs' Response and Objections to Defendants' Motion for Summary Judgment.

As further required by Local Rule 56.6 and by this Court's summary judgment procedures, the documentary evidence relied on by Defendants for their response is included in the appendices concomitantly filed with the Brief in Support of Plaintiffs Response and Objections to Defendants' Motion for Summary Judgment, and previously filed by Plaintiffs in support of their own partial summary judgment motion, which was filed with the Court as Doc. 234 and Doc.237 respectively. The portion of each page of these appendices upon which Plaintiffs' principally rely, and cite to in

their brief, has been highlighted by underline or by brackets in the margins or around the relevant text, or where more appropriate - particularly with regard to citations to declarations – by referencing the paragraph number on the page being cited.

Accordingly, based on the factual and legal grounds stated in the Defendants' accompanying brief, as supported by the argument and authorities set forth therein and by Defendants' appendix of documentary evidence, Plaintiffs respectfully request that Defendants' summary judgment motion be denied, that the Court further grant Plaintiffs' separately filed motion for partial summary judgment (Doc. XXXXXX) dismissing all claims asserted by APFA against Plaintiffs, and that Plaintiff, Ross, be awarded his claim for breach of contract, Plaintiffs be awarded injunctive relief, damages, punitive damages, and attorney's fees for their claims under LMRDA §§411 (a)(2) free speech, (a)(5) due process and § 529 retaliation violations, and that the Court enter such further orders as may be just and appropriate in the circumstances.

Respectfully submitted,  
KD PHILLIPS LAW FIRM, PLLC

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**ATTORNEY FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I certify that on May 24, 2024 a true and correct copy of the foregoing instrument was served upon Defendants' attorney via the e-file manager and email to the following

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